

REMARKS

In response to the Office Action mailed August 18, 2009, Applicants amended claims 1 and 62, and cancelled claims 6-10, 13, 15, 17, 19-22, 54, 56-59 and 61. Applicants present claims 1-4, 11, 23-31, 49-53, 60, 62 and 63 for examination.

The rejection of any claims that have been cancelled should be withdrawn.

The Examiner rejected independent claim 1 and its dependent claims 2-4, 11, 23-26, 28-31 and 49-53 under 35 U.S.C. §103(a) as being unpatentable over Jacobsen and Greene in view of Smith and Mazzocchi.

As amended, claim 1 covers cover a composition that includes a particle chain having at least two connected particles and a link that connects the at least two connected particles, where the at least two connected particles and the link are integrally formed of PVA. At least one of the at least two connected particles has an interior region with pores having a first mean size, a surface region with pores having a second mean size, and a body region between the interior region and the surface region. The body region has pores with a third mean size that is greater than the second mean size. The first mean size is about 20 microns or more, the second mean size is about one micron or less, and the third mean size is about 18 microns or less.

None of Jacobsen, Greene, of Smith and Mazzocchi, alone or in combination, discloses or renders obvious such subject matter. As an example, Smith does not explicitly or inherently disclose a particle formed of PVA and having the particular pore structure required by claim 1. Nor would it have been obvious to one skilled in the art to modify Smith to provide such a particle. Smith discloses a particle made of a polymer that is soluble in a suitable solvent and insoluble in water, which is miscible with the solvent. *See, e.g.*, Smith, col. 2, line 67 to col. 3, line 5. Smith further discloses preparing his particle by mixing the polymer with the solvent and water and precipitating the polymer, solvent, and water mixture. *See, e.g., id.*, col. 3, lines 60-67. As known to those skilled in the art, polyvinyl alcohol is soluble in water. Therefore, as would be understood by those skilled in the art, polyvinyl alcohol could not be used in Smith's method, and certainly could not be used in Smith's method to provide the particle required by claim 1.

None of the other references cited by the Examiner, taken alone or in combination, cure Smith's deficiencies.

Thus, without conceding that it would have been obvious (or perhaps even possible) to combine the references in the manner indicated by the Examiner, even if the references were so combined, the result would be the subject matter covered by independent claim 1 or its dependent claims 2-4, 11, 23-26, 28-31 and 49-53. Accordingly, Applicants request reconsideration and withdrawal of the rejection of these claims under 35 U.S.C. §103(a) as being unpatentable over Jacobsen and Greene in view of Smith and Mazzocchi.

The Examiner rejected claims 60, 62 and 63 under 35 U.S.C. §103(a) as being unpatentable over Jacobsen and Greene in view of Smith. Claims 60, 62 and 63 depend from independent claim 1, and are therefore patentable over Jacobsen, Greene and Smith for at least the same reasons as discussed above with respect to claim 1. Applicants therefore request reconsideration and withdrawal of the rejection of claims 60, 62 and 63.

The Examiner rejected independent claim 1 and its dependent claims 2-4, 6, 7, 23, 25-31 and 49-53 under 35 U.S.C. 103(a) as being obvious over Jacobsen in view of Lanphere. Applicants amended independent claim 1 to include limitations from previously pending dependent claims 8-10, and cancelled claims 8-10. As a result, Applicants request reconsideration and withdrawal of the rejection of claims 1-4, 6, 7, 23, 25-31 and 49-53 under 35 U.S.C. 103(a) as being obvious over Jacobsen in view of Lanphere.

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Respectfully submitted,

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